

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UMG RECORDINGS, INC., <i>et al.</i> ,)	
)	
)	
Plaintiffs,)	
)	
vs.)	Case No.: 1:08-cv-00477
)	Honorable Robert M. Dow Jr.
)	
KAYLE JAMES,)	
)	
)	
Defendant.)	

JOINT STATUS REPORT

Pursuant to the Court's Minute Order (Doc. No. 25) and Fed. R. Civ. P. 26(f), the parties respectfully submit the following Joint Status Report:

1. **Attorneys of Record for Each Party:**

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Defendant, Pro Se

2. **Basis for Federal Jurisdiction:** This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 *et seq.*). This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. **Nature of Claims:** This action seeks redress for Defendant's infringement of Plaintiffs' copyrighted sound recordings, pursuant to the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* (West 1996 & Supp. 2003). Plaintiffs are recording companies that own or control exclusive rights to copyrights in sound recordings. Plaintiffs allege Defendant infringed (1) their exclusive right to reproduce certain of their copyrighted sound recordings, by using an online media distribution system to download the copyrighted sound recordings

through the Internet to the computer at issue; and (2) their exclusive right to distribute the copyrighted sound recordings, by using an online media distribution system to make them available for copying by the general public.

4. **Parties Not Served:** None.

5. **Principal Legal Issues:**

(a) Whether Defendant has infringed Plaintiffs' copyrighted sound recordings, pursuant to the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* If Defendant is found to have violated Plaintiffs' rights under 17 U.S.C. § 101 *et seq.*, this Court shall also determine the appropriate statutory damages pursuant to 17 U.S.C. § 504(c) and whether or not to grant Plaintiffs' request for attorneys' fees and costs pursuant to 17 U.S.C. § 505.

(b) Whether Defendant's conduct is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury and, if so, to grant Plaintiffs' request for a permanent injunction against Defendant.

6. **Principal Factual Issues:** See above in paragraph 5.

7. **Jury Trial:** Neither party has requested a jury trial.

8. **Discovery:** No discovery has been conducted at this time. The parties propose the following discovery plan:

(a) Discovery is required to determine Defendant's alleged history of downloading, including her history of downloading songs; the computer at issue; persons known to Defendant with knowledge of the infringement at issue; and any defenses raised by Defendant.

(b) Rule 26(a)(1) disclosures to be exchanged by **August 11, 2008**.

(c) Expert reports exchanged by **November 14, 2008**.

(d) Fact discovery completed by **January 23, 2009**.

(e) Dispositive motions filed by **March 17, 2009**.

(f) Final pretrial order filed **May 15, 2009**.

9. **Trial Ready Date:** **July 2009**.

10: **Consent to Proceed Before a Magistrate Judge:** The parties do not consent to proceed before a Magistrate Judge.

11. **Status of Settlement Discussions:** The parties discussed settlement on July 16, 2008, but no agreement on settlement was reached.
12. **Settlement Conference:** At this time, the parties do not request a settlement conference.

Dated this 23rd day of July, 2008.

Respectfully submitted,

s/ Kristin S. Yoo
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PROOF OF SERVICE

The undersigned attorney certifies that the foregoing **JOINT STATUS REPORT** was served on counsel of record by electronic filing, U.S. Mail and e-mail this 23rd day of July, 2008, and the same is available for viewing by downloading off of the Court's ECF system.

s/ Kristin S. Yoo

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